

Atty. Docket No. A335992-PCT-USA-A (072667.0191)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Freysinnet *et al.*  
Serial No. : 10/665,460 Examiner : Not Yet Assigned  
Filed : September 19, 2003 Group Art Unit: 1646  
For : PEPSIN-SENSITIVE MODIFIED BACILLUS THURINGIENSIS  
INSECTICIDAL TOXIN

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. 1.53(b)**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

December 23, 2003

Rochelle K. Seide  
Attorney's Name

Rochelle K. Seide  
Signature

32,300

Registration No.

December 23, 2003

Date of Signature

Mail Stop **MISSING PARTS**  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice To File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 1.53(b) mailed on December 15, 2003 and pursuant to 37 C.F.R. § 1.63(d), enclosed herewith is a copy of the Combined Declaration and Power of Attorney referring to United States Patent Appl. Ser. No. 10/463,981 by one or more of the following in compliance with 37 C.F.R. §1.63:

- ☐ Name of inventor and application serial number;
- ☐ Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ Name of inventor, title of invention and filing date;

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Also enclosed are:

1. ☐ A fee of \$130.00  
☒ \$130 - Other than Small Entity  
☐ \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.16(e);
2. ☒ Part 2 Copy of Notice to File Missing Parts
3. ☒ A Revised Sequence Listing (paper and CRF copies) and a Sequence Listing Declaration are enclosed.
4. ☐ An extension of time to respond to the Notice to File Missing Parts is respectfully requested.
5. Extension for response (check only one):

	<u>SMALL ENTITY</u>	<u>OTHER THAN A SMALL ENTITY</u>
Within first month	<input type="checkbox"/> \$ 55	<input type="checkbox"/> \$ 110
Within second month	<input type="checkbox"/> 205	<input type="checkbox"/> 410
Within third month	<input type="checkbox"/> 465	<input type="checkbox"/> 930
Within fourth month	<input type="checkbox"/> 725	<input type="checkbox"/> 1,450

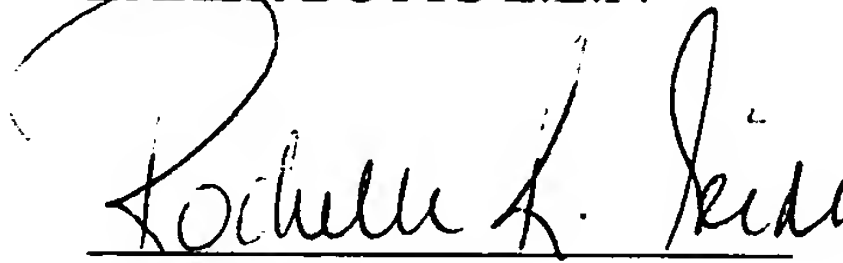
The required extension of time fee is \$ 0.00

TOTAL FEE \$130.00

- ☒ [X] A check in payment of \$130.00 is enclosed.
- ☐ [ ] Please charge our Deposit Account No. 02-4377 in the amount of \$0.00. Duplicate copies of this sheet are enclosed.
- ☒ [X] If any additional fees are due in connection with the submission of this paper, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.



Rochelle K. Seide  
Patent Office Reg. No. 32,300

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(212) 408-2626

Enclosures